



PTO/SB/21 (02-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/731,594
	Filing Date	December 9, 2003
	First Named Inventor	Jin-Jun Liu et al.
	Art Unit	1646
	Examiner Name	Thomas C. McKenzie
Total Number of Pages in This Submission	Attorney Docket Number	21437 US2

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Petition to Correct Correspondence Filing Date for "Date-In" Incorrectly Entered on Expressed Mail Label (37 CFR 1.10d) and Statement of Bernard Lau in Support of Petition to Correct Correspondence Filing Date for "Date-In" Incorrectly Entered on Expressed Mail Label (37 CFR 1.10d)		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	Bernard Lau	
Signature		
Date	November 4, 2004	

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Typed or printed name	Bernard Lau	
Signature		Date November 4, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DA C Ifw S

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Jin-Jun Liu et al.

Group: 1646

Serial No. 10/731,594, filed October 9, 2003
(Ref. No. 21437US2)

Examiner: Thomas C. McKenzie

For: NOVEL DIHYDROPYRIDINONE COMPOUNDS

PETITION TO CORRECT CORRESPONDENCE FILING DATE FOR "DATE-IN"
INCORRECTLY ENTERED ON EXPRESSED MAIL LABEL (37 C.F.R. § 1.10d)

Nutley, New Jersey 07110
November 4, 2004

Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. This is a petition to accord the correspondence in the above-identified application a filing date of October 9, 2003, which is the date the correspondence was deposited with the U.S.P.S. with proper postage.
2. Submitted herewith is the statement of Bernard Lau as to when the discrepancy was discovered and establishing that this petition is being filed promptly thereafter. 37 C.F.R. § 1.10(d)(1).
3. Attached is a true copy of the first page of this correspondence which was filed showing both the date on which this correspondence was mailed as Express Mail label No. EL 912163425 US and that the number of the Express Mail was placed thereon prior to the original mailing. 37 C.F.R. § 1.10(d)(2).
4. Correction is required because the wrong "Date-In" was entered by the U.S.P.S. on the original "Express Mail" label and on the envelope delivered to the P.T.O.

11/09/2004 YPOLITE1 00000020 082525 10731594

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NO. 08-2525
OUR ORDER NO. 5807

5. The following establish the showing required by 37 C.F.R. § 1.10(d)(3).

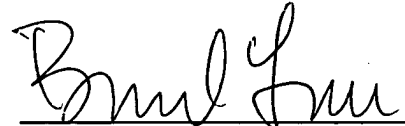
As support for December 9, 2003 as the correct filing date, applicants submit the following documents that are on file at the U.S.P.T.O.:

- a. Returned receipt postcard showing date mailed as December 9, 2003;
- b. Certification under 37 C.F.R. 1.10 from Marta Swaryczewsky that the application in the Express Mail Label EL912163425US, used for filing the present application, was deposited with the U.S. Postal Service on December 9, 2003;
- c. Utility Patent Application Transmittal that is signed by the undersigned on December 9, 2003; and
- d. Fee Sheet dated December 9, 2003.

6. Authorization is hereby made to charge the amount of 130.00 to Deposit Account No. 08-2525. Please charge any additional fees required by this paper or credit any overpayment to the same Deposit Account No. 08-2525.

A duplicate of this paper is attached.

Respectfully submitted,



Attorney for Applicants
Bernard Lau
(Reg. No. 38,218)
340 Kingsland Street
Nutley, New Jersey 07110
Telephone: (973) 235-4387
Telefax: (973) 235-2363

145545



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Inventors: Jin-Jun Liu et al.

Group: 1646

Serial No. 10/731,594, filed October 9, 2003
(Ref. No. 21437US2)

Examiner: Thomas C. McKenzie

For: **NOVEL DIHYDROPYRIDINONE COMPOUNDS**

**STATEMENT OF BERNARD LAU IN SUPPORT OF PETITION TO CORRECT
CORRESPONDENCE FILING DATE FOR "DATE-IN" INCORRECTLY ENTERED ON
EXPRESSED MAIL LABEL (37 C.F.R. § 1.10d)**

Nutley, New Jersey 07110
November 4, 2004

Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The purpose of this statement is to describe when the discrepancy regarding the "Date-In" was discovered and establish that this petition is being filed promptly thereafter.

I am a patent attorney representing the inventors in this application. The inventors are employed by Hoffmann-La Roche Inc., a subsidiary of the global pharmaceutical company, E. Hoffmann-La Roche Ltd., of Basel, Switzerland. Usually, in the course of filing a patent application for a U.S. based invention in the U.S. as that similar to the present application, such an application is first filed in the U.S.P.T.O. as a priority application, and subsequently, other ex-U.S. corresponding patent applications are filed based on the instant patent application within the statutory time period of the respective corresponding foreign patent offices.

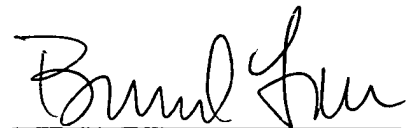
We received the filing receipt on March 17, 2004 (U.S.P.T.O. mailing date As March 15, 2004) in our office. The corresponding foreign patent filings would not be due until one year after the filing or 371 (c) date of February 9, 2004 (February 8, 2004 in the filing

USSN 10/731,594
Filed October 9, 2003

receipt). Subsequently, the person in charge of docketing at the assigned company realized the discrepancy between the actual filing date and the date of the filing receipt. I then filed a communication entitled "Request for Corrected Filing Receipt" dated July 22, 2004 to the U.S.P.T.O.

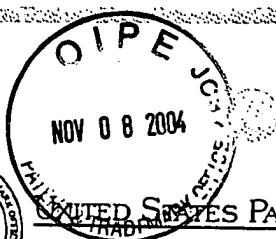
Subsequently, our office was advised by the U.S.P.T.O. that a Petition to Correct Correspondence Filing Date For "Date-In" Incorrectly Entered on Express Mail Label (37 C.F.R. §1.10) would be required. Accordingly, I am filing the accompanying Petition to Correct Correspondence Filing Date for Date-In Incorrectly Entered on Express Mail Label.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bernard Lau", written over a horizontal line.

Attorney for Applicants
Bernard Lau
(Reg. No. 38,218)
340 Kingsland Street
Nutley, New Jersey 07110
Telephone: (973) 235-4387
Telefax: (973) 235-2363

145561



UNITED STATES PATENT AND TRADEMARK OFFICE

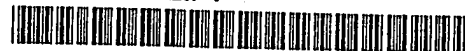
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/731,594	12/08/2003 12/11/03	1646	1240 ✓	21437 US2 ✓		27 ✓	7 ✓

00151
 HOFFMANN-LA ROCHE INC. ✓
 PATENT LAW DEPARTMENT
 340 KINGSLAND STREET
 NUTLEY, NJ 07110

CONFIRMATION NO. 3874

FILING RECEIPT



OC000000012102591

Date Mailed: 03/15/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Jin-Jun Liu, Warren, NJ; ✓
 Kin-Chun Luk, North Caldwell, NJ; ✓

Domestic Priority data as claimed by applicant

This appln claims benefit of 60/434,969 12/20/2002 ✓
 and claims benefit of 60/513,615 10/23/2003

Foreign Applications

If Required, Foreign Filing License Granted: 03/15/2004 ✓

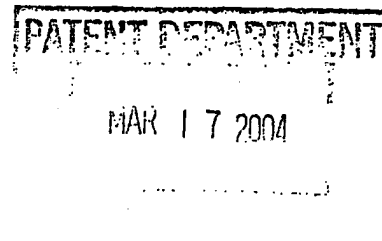
Projected Publication Date: 06/24/2004

Non-Publication Request: No

Early Publication Request: No

Title

Novel dihydropyridinone compounds ✓



Copy Sent to

Preliminary Class

530

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Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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Express Mail No. EL912163425US
Date Mailed: December 9, 2003
Docket No. 21437 US2 Ser. No. _____ Filed: 22390 U.S. PTO
Jin-Jun Liu and Kin-Chun Luk 107731594
NOVEL DIHYDROPYRIDINONE COMPOUNDS 
120803

- | | |
|---|---|
| <input type="checkbox"/> Affidavit/Declaration | <input checked="" type="checkbox"/> Fee Sheet |
| <input type="checkbox"/> Amendment <input type="checkbox"/> Final | <input checked="" type="checkbox"/> Info Discl. State <input type="checkbox"/> Suppl. |
| <input checked="" type="checkbox"/> Application <u>71</u> pages | <input checked="" type="checkbox"/> w/refs. <input type="checkbox"/> w/o refs. |
| <u>27</u> Claims _____ Drawings | <input type="checkbox"/> Letter/Response |
| <input checked="" type="checkbox"/> Application Data Sheet | <input type="checkbox"/> Petition to Extend Time |
| <input type="checkbox"/> Appeal, Notice of | <input type="checkbox"/> Power of Attorney |
| <input type="checkbox"/> Brief (in triplicate) | <input type="checkbox"/> Sequence List w/Computer |
| <input checked="" type="checkbox"/> Declaration | Readable & Paper Copies |
| <input type="checkbox"/> Disclaimer | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Drawings, formal | <input type="checkbox"/> Transmittal Letter |
| _____ Sheets _____ Figures | |
| <input type="checkbox"/> Other: _____ | |

Ref. No. 21437 US2

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on December 9, 2003

Date

Marta Swaryczewsky
Signature

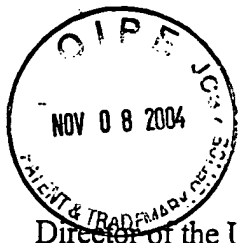
Marta Swaryczewsky

Typed or printed name of person of signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Papers Submitted for Case Docket 21437 US2: Patent Application Transmittal Form, Application Data Sheet, Fee Transmittal Form, Specification, Declaration, Information Disclosure Statement with PTO Form 1449 and References

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Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110
Case Docket 21437 US2
December 9, 2003

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of

Inventor(s): Jin-Jun Liu and Kin-Chun Luk

For: **NOVEL DIHYDROPYRIDINONE COMPOUNDS**

1. The fee has been calculated as shown below:

CLAIMS				
FOR	NO. FILED	NO. EXTRA	RATE	FEE
TOTAL CLAIMS	27 - 20	7	x \$18	126
INDEP. CLAIMS	7 - 3	4	x \$86	344
MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$290	
BASIC FEE				\$ 770
TOTAL				<u>\$1240</u>

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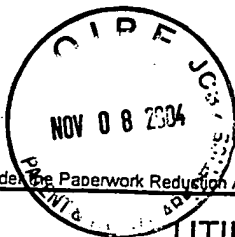
Continue to address all communications to:

George W. Johnston
Hoffmann-La Roche Inc.
340 Kingsland Street
Nutley, NJ 07110

Attorney for Applicant(s)
Bernard Lau
(Reg. No. 38218)

137158

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	21437 US2
First Inventor	Jin-Jun Liu et al.
Title	Novel ...
Express Mail Label No.	EL912163425US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

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1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 71]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets _____]
5. Oath or Declaration [Total Sheets 3]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - c. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Reader Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney] (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 [Copies of IDS Citations]
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 00151

OR ☐ Correspondence address below

Name

Address

City

Country

State

Zip Code

Telephone

Fax

Name (Print/Type)

Bernard Lau

Registration No. (Attorney/Agent)

38218

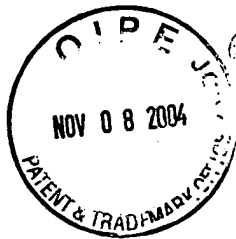
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12/09/2003

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Bernard Lau, Esq.

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